

REMARKS

The application comprises claims 1-51, of which claims 1 and 24 are in independent form. Claims 1 and 24 are amended.

Rejections under 35 USC 102

The Examiner rejects claims 1 – 3, 5 – 8, 15 – 16, 18 – 19, 23 – 27, 29 – 32, 39 – 40, 42 – 43, and 47 – 48, and 50 – 51 for anticipation by Nagle (US 6,225,107).

Applicant has amended claims 1 and 24 to more clearly define the invention for which protection is required.

The Examiner is thanked in particular for his helpful comments in the Response to Arguments section of the Office Action.

Examiner specifically states that the prior art structures include an outline, since having walls does not stop an empty box from being an outline.

Applicant has removed the term "comprising" in order to exclude the possibility that the structure further incorporates internal walls.

In addition applicant has defined that the way in which the specimen is held between the outline frame and the holder is such as to allow a clear approach for manipulation of said specimen. Thus the claim specifically excludes the possibility that the outline frames block access to the tissue, which is the case in the cited prior art, and the applicant is no longer relying on features in the specification but not claimed.

Support for the amendment is on page 12 line 6 for manipulation and page 12 line 14 for a clear approach to the specimen.

The concept of a clear approach *excludes* the possibility of having box walls, as the presence of such walls would physically impede the approach to the faces of the specimen.

This again excludes the system of Nagle, where the box holds the specimen in its in vivo state and allows it to be examined but does not allow a clear approach for the specimen to be manipulated since the approach to the specimen is *clearly impeded* by the box walls.

Thus claim 1 defines that:

"the structure is a first outline frame, designed to receive and hold the tissue specimen therebetween, the structure having at least one holder, for holding the first outline frame with the tissue specimen, in a manner allowing a clear approach to said specimen for manipulation, and fixing the orientation of the tissue specimen."

Such a structure is not taught in Nagle, which has an outer and an inner box, and in fact the specimen is contained and minimally compressed by the inner box, (see abstract) thus ensuring that the specimen *cannot* be approached at all for manipulation purposes when held by such a structure, never mind having a *clear* approach.

In fact in Nagle there are two sets of walls, the walls of the inner box and the walls of the outer box, both impeding *any* possibility of approaching the sample.

Thus independent claims 1 and 24 are believed to be inventively distinguished over the prior art.

The remaining claims are believed to be allowable at least by virtue of being dependent on allowable main claims.

An early and favorable action is respectfully requested.

Respectfully submitted,



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Enclosures:

- Petition for Extension of Time (One Month)
- RCE